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Attorneys for Defendant(s)
IOVATE HEALTH SCIENCES U.S.A., INC., IOVATE
HEALTH SCIENCES INTERNATIONAL, INC., IOVATE
HEALTH RESEARCH, INC., IOVATE HC 2005
FORMULATIONS, LTD., MUSCLETECH RESEARCH AND
DEVELOPMENT, INC., HDM FORMULATIONS LTD., and
GENERAL NUTRITION CENTERS, INC.

SPECIALLY APPEARING FOR IOVATE HEALTH
SCIENCES GROUP INC., and KERR INVESTMENT
HOLDING CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HECTOR MANUEL ABARCA and DIANA
CURIEL,

Plaintiffs,

v.

IOVATE HEALTH SCIENCES U.S.A., INC.,
IOVATE HEALTH SCIENCES GROUP, INC.,
IOVATE HEALTH RESEARCH, INC., IOVATE
HC 2005 FORMULATIONS, LTD., IOVATE
HEALTH SCIENCES INTERNATIONAL, INC.,
MUSCLETECH RESEARCH AND
DEVELOPMENT, INC., HDM
FORMULATIONS LTD., KERR INVESTMENT
HOLDING CORPORATION and GENERAL
NUTRITION CENTERS, INC.,

Defendants.

Case No. C09-03861 JCS ADR

**STIPULATION TO EXTEND TIME
FOR DEFENDANTS TO RESPOND
TO COMPLAINT**

Judge: Hon. Joseph C. Spero

1 Pursuant to Civil Local Rules 6-1(a) of this Court, plaintiffs HECTOR MANUEL
2 ABARCA and DIANA CUIEL, and defendants IOVATE HEALTH SCIENCES U.S.A., INC.,
3 IOVATE HEALTH RESEARCH INC., IOVATE HC 2005 FORMULATIONS LTD., HDM
4 FORMULATIONS LTD., IOVATE HEALTH SCIENCES INTERNATIONAL INC.,
5 MUSCLETECH RESEARCH AND DEVELOPMENT INC., and GENERAL NUTRITION
6 CENTERS, INC., (collectively "Defendants") hereby submit the following Stipulation to Extend
7 Time to Respond to Complaint ("Stipulation"). Specially appearing for purposes of this
8 Stipulation only, and expressly reserving their right to contest service and this Court's
9 jurisdiction, IOVATE HEALTH SCIENCES GROUP INC. and KERR INVESTMENT
10 HOLDING CORP. consent to the following Stipulation:
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12 1. WHEREAS Defendants are presently due to answer or otherwise respond to the
13 complaint on or about October 15, 2009; and
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15 2. WHEREAS the parties have agreed that the Defendants may be afforded an
16 additional thirty days in which to answer or otherwise respond to the complaint in this matter, and
17 as the thirtieth day falls on a Saturday;
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1 IT IS HEREBY STIPULATED by the parties, by and through their undersigned counsel,
2 that Defendants may answer or otherwise respond to the complaint in this matter on or before
3 November 16, 2009.

4 Dated: October 7, 2009

ARTURO J. GONZÁLEZ
WILLIAM F. TARANTINO
ALEXANDRIA A. AMEZCUA
MORRISON & FOERSTER LLP

By: s/ Alexandria A. Amezcua
ALEXANDRIA A. AMEZCUA

Attorneys for Defendant(s)
IOVATE HEALTH SCIENCES U.S.A., INC.,
IOVATE HEALTH RESEARCH, INC.,
IOVATE HC 2005 FORMULATIONS, LTD.,
HDM FORMULATIONS LTD., IOVATE
HEALTH SCIENCES INTERNATIONAL,
INC., MUSCLETECH RESEARCH AND
DEVELOPMENT, INC., and GENERAL
NUTRITION CENTERS, INC.

Specially appearing for IOVATE HEALTH
SCIENCES GROUP INC. and KERR
INVESTMENT HOLDING CORP.

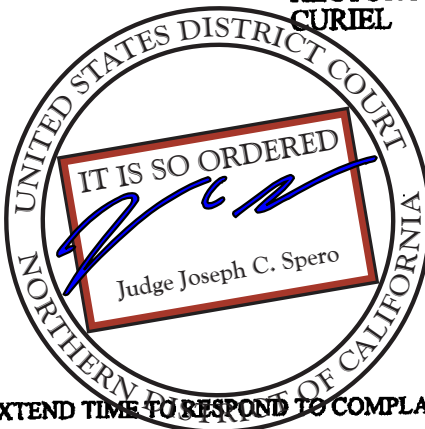
16 Dated: October 9, 2009

THOMAS V. GIRARDI
HOWARD MILLER
GIRARDI KEESE

By: GRAHAM LIPPSMITH

Attorneys for Plaintiffs
HECTOR MANUEL ABARCA and DIANA
CURIEL

25 Dated: 10/13/9



28 STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT
C09-03861 JCS ADR
sf-2748352

Certificate of Service

I hereby certify that on October 9, 2009, I served the foregoing:

STIPULATION TO EXTEND TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT

with the Clerk of the court using the CM/ECF system which will send notification of such filing to the following:

Thomas V. Girardi
Howard Miller
Graham Lippsmith
Girardi Keese
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